

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 12, 17, 20, 24, 28, 32, and 36 are pending. Claims 1-11, 13-16, 18, 19, 21-23, 25-27, 29-31, and 33-35 are canceled. As discussed with Examiner Mai during a telephone interview on March 3, 2008, the present listing of claims is the same as the listing of Claims 12, 17, 20, 24, 28, 32, and 36 considered by the Board during the Appeal and merely corrects an error made in the Amendment under 37 C.F.R. 1.116 filed after the Appeal on September 24, 2007.

The amendment under 37 C.F.R. 1.116 filed on September 24, 2007, listed the version of dependent Claim 17 that was filed with an Amendment submitted with an Appeal Brief on August 10, 2004. The version of Claim 17 filed in the Amendment with the Appeal Brief was incorrect and changed a numerical expression without showing Claim 17 as amended.

In the present Amendment, Claim 17 is shown as amended and conforms to the version of Claim 17 pending during the Appeal and listed in the supplemental Appendix filed, filed after the Appeal Brief, on August 29, 2005. Although Claim 17 was never formally amended to incorrectly state " $0.1\rho \times 1\rho < 2\rho < 1\rho$ ", the Amendment filed with the Appeal Brief incorrectly listed this numerical expression rather than the correct expression " $0.1 \times \rho_1 < \rho_2 < \rho_1$ ", which was recited in Claim 17 in the Amendment filed on August 10, 2004, and in the supplemental Appendix filed on August 29, 2005. No new matter is added.

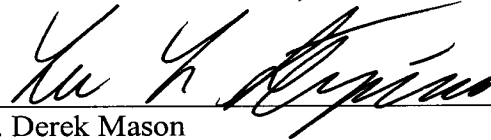
As discussed during the telephone interview, the present amendment is merely to provide a proper listing of the claims which conforms to the listing of claims considered during appeal.

Accordingly, Applicants respectfully submit that this application remains in condition for allowance and the Amendment should be entered.

Should Examiner Mai deem that any further action is necessary to place this application in even better form for allowance, Examiner Mai is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "J. Derek Mason", is written over a horizontal line.

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